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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,312	04/19/2000	Andrea Basso	IDS #1999-0097	4129

7590 06/18/2003

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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/552,312

Applicant(s)

BASSO ET AL.

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by **Corey et al (5,703,655)**

As to claim 1, note the **Corey et al** reference figures 1 and 2, disclose system and method for indexing and retrieving portions of video programming data contained in a video/audio storage area of stored video programs which includes broadcast television and further disclose a method comprising steps of: the claimed "indexing a media collection..." is met by Control Module (CM) 60, note figures 1, 2, col. 3, lines 37-51 and col. 4, lines 17-44, note that CM 60 controls the receiver-tuner 24 by supplying it with control signals and also compression/decompression module 36 to create various index records based on the content of the video/audio data and store in video/audio storage device 40, the video retrieval system 20, further includes at least a user input device 76 that allows the user to search the storage devices 40 and 72, indexed library, to identify one or more desired video segments, set of candidate program segments, based on the search criteria, note col. 4, line 39-col. 5, line 4, and a Television Monitor

84 for browsing the set of program segments to select a segment for viewing, note system allows capturing of desire video programs, note figures 6, 12A, col. 5, lines 5-57 and col. 6, line 51-col. 7, line 40.

As to claim 2, Corey further discloses a method of indexing includes extracting from the media collection for each segment of candidate image segments one of closed captioning data and speech recognition as a searchable text data, note col. 5, lines 31-57, the speech recognition data being extracted when closed captioning data is unavailable, note col. 6, lines 33-50, col. 7, lines 18-29 and col. 9, lines 3-36, and further discloses comparing the search criteria to the searchable text data in the storage device 40 and 72 which can be combined as a single storage device, note col. 7, lines 30-57.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Corey et al (5,703,655)** in view of **Jain et al (6,567,980)**.

As to claim 3-5, Corey discloses all the claim limitations as previously discussed with respect to claim 2, and further teaches using closed-captioning text to retrieve the video segments and displays a video index record for retrieving video segments, note

figures 6-12, but fails to specifically teach indexing further includes forming browseable image for each segment of the candidate program segments, including keywords identified in the searchable text and key images identified in the library for display in the browseable image including selecting a display segment from the set of candidate program segments and displaying the associated browseable image with associated keywords and key images. However, the **Jain et al** reference figures 4 and 17, disclose media cataloging and media analysis application which performs real-time, or non-real-time, indexing and distribution of video across an enterprise and further disclose browseable image for each segment of the candidate program segments, including keywords identified in the searchable text and key images identified in the library for display in the browseable image including selecting a display segment from the set of candidate program segments and displaying the associated browseable image with associated keywords and key images, note figures 2, 17, col. 4, lines 20-40 and col. 14, lines 26-66.

Therefore the examiner submits it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Jain into the system of Corey in order to provide user friendly interface, of various retrieve image of each segment of the program and a text associated with each image segment of the program to further add additional information describing the image of each segment of the program.

As to claim 5, Jain further discloses where the searchable text data associated with the selected display segment includes a first word of no interest, low information

content, and keywords of interest, second word having high information content, note figure 6, and forming a browseable image includes selecting the keyword of interest and rejecting the words of no interest, note col. 6, line 42-col. 7, line 33 and col. 10, lines 22-46.

As to claim 6, Jain further discloses forming a browseable image for each segment of the set of candidate programs segments, each browseable image including key images identified in the indexed library for displaying in the browseable image and includes selecting a display segment from the set of candidate program segments and displaying the associated browseable image, note col. 4, lines 20-40 and col. 14, lines 26-66.

As to claim 7, Jain inherently teaches displaying segment includes an image of an anchor-person having low information content and a field shot image of an event having high information content and forming a browseable image includes selecting the field shot image as a key image and rejecting the image of the anchor-person as a key image, note that Jain, selectively identifies keywords of interest, hence is obvious that segment of high information content will be selected, and displayed, over segments of low information content.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoffert et al (6,370,504) disclose method and apparatus for uploading, indexing, analyzing, and searching media content.

Zick et al (6,370,504) disclose speech recognition on MPEG/audio encoded files.

Hoffert et al (6,282,549) disclose indexing of media content on a network.

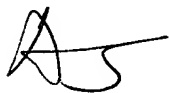
Wactlar et al (5,835,667) disclose method and apparatus for creating a searchable digital video library and a system and method of using such a library.

Harrison (5,694,163) discloses method and apparatus for viewing of on-line information service chat data incorporated in a broadcast television program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.



Annan Q. Shang  
June 12, 2003



JOHN MILLER  
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